

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Jeffery C Cunningham
Donna Mae Cunningham
Debtors

Case No. 21-01757-HWV
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0314-1
Date Rcvd: Sep 10, 2021

User: AutoDocket
Form ID: pdf002

Page 1 of 2
Total Noticed: 28

The following symbols are used throughout this certificate:

Symbol Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 12, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Jeffery C Cunningham, Donna Mae Cunningham, 58 Carlisle Road, Newville, PA 17241-9415
5429595	+ Bureau of Account Management, 3607 Rosemont Avenue #502, Camp Hill, PA 17011-6943
5429597	+ Commercial Acceptance, 2300 Gettysburg Road, Camp Hill, PA 17011-7303
5429598	Daniel Santucci, Esq., Midland Credit Management, 1 International Plz Fl 5, Philadelphia, PA 19113-1510
5429600	+ Friendship Hose Company 1, PO Box 539, Mechanicsburg, PA 17055-0539
5429602	+ Hayt, Hayt & Landau LLC, 2 Industrial Way West, Meridian Center 1, Eatontown, NJ 07724-2279
5429603	Hershey Kidney Specialists Inc, 4700 Union Deposit Road, Suite 240, Harrisburg, PA 17111-3774
5434807	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
5434086	+ MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
5429610	+ Midland Mtg/Midfirst, Pob 268959, Oklahoma City, OK 73126-8959
5429611	+ Phillips & Cohen Associates LTD, 1002 Justison Street, Wilmington, DE 19801-5148
5429612	+ Radius Global Solution, 9550 Regency Square Blvd, Jacksonville, FL 32225-8116
5429613	Tate & Kirlin Associates, Inc., 580 Middletown Blvd, Suite 240, Langhorne, PA 19047-1827

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
5430545	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Sep 10 2021 18:46:00	AmeriCredit Financial Services, Inc., dba GM Financial, P O Box 183853, Arlington, TX 76096
5432126	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Sep 10 2021 18:46:44	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
5429596	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Sep 10 2021 18:46:44	Capital One Bank Usa N, Po Box 31293, Salt Lake City, UT 84131-0293
5429599	Email/Text: operationsclerk@easypayfinance.com	Sep 10 2021 18:45:00	Easypay/dvra, 3220 Executive Ridge, Vista, CA 92081
5429601	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Sep 10 2021 18:46:00	Gm Financial, 200 Bailey Ave, Fort Worth, TX 76107-1210
5429604	Email/Text: JCAP_BNC_Notices@jcap.com	Sep 10 2021 18:46:00	Jefferson Capital Syst, 16 Mcleland Rd, Saint Cloud, MN 56303
5429605	Email/PDF: ais.chase.ebn@americaninfosource.com	Sep 10 2021 18:46:37	Jpmcb Card, Po Box 15369, Wilmington, DE 19850
5430719	Email/PDF: resurgentbknotifications@resurgent.com	Sep 10 2021 18:46:32	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
5429606	+ Email/PDF: resurgentbknotifications@resurgent.com	Sep 10 2021 18:46:32	Lvnv Funding Llc, C/o Resurgent Capital Services, PO Box 10466, Greenville, SC 29603-0466
5433077	Email/PDF: MerrickBKNotifications@Resurgent.com	Sep 10 2021 18:46:37	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368

5429607	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Sep 10 2021 18:46:38	Merrick Bank Corp, Po Box 9201, Old Bethpage, NY 11804-9001
5429608	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 10 2021 18:46:00	Midland Credit Managem, 320 East Big Beaver, Troy, MI 48083-1238
5429609	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 10 2021 18:46:00	Midland Credit Management, 320 East Big Beaver, Troy, MI 48083-1238
5432374	+ Email/Text: bankruptcydpt@mcmcg.com	Sep 10 2021 18:46:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
5431018	Email/Text: RVSVCBICNOTICE1@state.pa.us	Sep 10 2021 18:46:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946

TOTAL: 15

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 12, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 10, 2021 at the address(es) listed below:

Name	Email Address
Jack N Zaharopoulos (Trustee)	TWecf@pamd13trustee.com
Joseph Quinn	on behalf of Debtor 2 Donna Mae Cunningham CourtNotices@RQPlaw.com general@RQPlaw.com
Joseph Quinn	on behalf of Debtor 1 Jeffery C Cunningham CourtNotices@RQPlaw.com general@RQPlaw.com
Rebecca Ann Solarz	on behalf of Creditor MIDFIRST BANK bkgroup@kmlawgroup.com
United States Trustee	ustpregion03.ha.ecf@usdoj.gov

TOTAL: 5

LOCAL BANKRUPTCY FORM 3015-1**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:
Jeffery C Cunningham
Donna Mae Cunningham

CHAPTER 13
CASE NO. **1:21-bk-01757**

- ☐ ORIGINAL PLAN
☒ 1st AMENDED PLAN (Indicate 1st, 2nd, 3rd, etc.)
☒ Number of Motions to Avoid Liens
☐ Number of Motions to Value Collateral

CHAPTER 13 PLAN**NOTICES**

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

- 1 The plan contains nonstandard provisions, set out in § 9, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania. ☐ Included ☒ Not Included
- 2 The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor. ☐ Included ☒ Not Included
- 3 The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 2.G. ☒ Included ☐ Not Included

YOUR RIGHTS WILL BE AFFECTED

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

1. PLAN FUNDING AND LENGTH OF PLAN.**A. Plan Payments From Future Income**

1. To date, the Debtor paid **\$656.00** (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is **\$37,392.00**, plus other payments and property stated in § 1B below:

Start mm/yy	End mm/yy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
09/21	05/26	656.00	0.00	656.00	37,392.00
				Total Payments:	\$37,392.00

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE: ☒ Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

B. Additional Plan Funding From Liquidation of Assets/Other

1. The Debtor estimates that the liquidation value of this estate is \$487.50 (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

Check one of the following two lines.

☒ No assets will be liquidated. *If this line is checked, the rest of § 1.B.2 and complete § 1.B.3 if applicable*

☐ Certain assets will be liquidated as follows:

2. In addition to the above specified plan payments, Debtor shall dedicate to the plan proceeds in the estimated amount of \$__ from the sale of property known and designated as __. All sales shall be completed by __. If the property does not sell by the date specified, then the disposition of the property shall be as follows:

3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows:

2. SECURED CLAIMS.

A. Pre-Confirmation Distributions. Check one.

☒ None. *If "None" is checked, the rest of § 2.A need not be completed or reproduced.*

B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.

☐ None. *If "None" is checked, the rest of § 2.B need not be completed or reproduced.*

☒ Payments will be made by the Debtor directly to the creditor according to the original contract terms, and without modification of those terms unless otherwise agreed to by the contracting parties. All liens survive the plan if not avoided or paid in full under the plan.

Name of Creditor	Description of Collateral	Last Four Digits of Account Number
MidFirst Bank (Claim 9)	58 Carlisle Road Newville, PA 17241 Cumberland County	7904

C. Arrears (Including, but not limited to, claims secured by Debtor's principal residence). Check one.

☐ None. *If "None" is checked, the rest of § 2.C need not be completed or reproduced.*

☒ The Trustee shall distribute to each creditor set forth below the amount of arrearages in the allowed claim. If post-petition arrearages are not itemized in an allowed claim, they shall be paid in the amount stated below. Unless otherwise ordered, if relief from the automatic stay is granted as to any collateral listed in this section, all payments to the creditor as to that collateral shall cease, and the claim will no longer be provided for under § 1322(b)(5) of the Bankruptcy Code:

Name of Creditor	Description of Collateral	Estimated Pre-petition Arrears to be Cured	Estimated Post-petition Arrears to be Cured	Estimated Total to be paid in plan
MidFirst Bank (Claim 9)	58 Carlisle Road Newville, PA 17241 Cumberland County	\$12,339.54	\$0.00	\$12,339.54

D. Other secured claims (conduit payments and claims for which a § 506 valuation is not applicable, etc.)

☐ None. *If "None" is checked, the rest of § 2.D need not be completed or reproduced.*

☒ The claims below are secured claims for which a § 506 valuation is not applicable, and can include: (1) claims that were either (a) incurred within 910 days of the petition date and secured by a purchase money security interest in a motor

vehicle acquired for the personal use of the Debtor, or (b) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value; (2) conduit payments; or (3) secured claims not provided for elsewhere.

1. The allowed secured claims listed below shall be paid in full and their liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under §1328 of the Code.
2. In addition to payment of the allowed secured claim, present value interest pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) will be paid at the rate and in the amount listed below, unless an objection is raised. If an objection is raised, then the court will determine the present value interest rate and amount at the confirmation hearing.
3. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Principal Balance of Claim	Interest Rate	Total to be Paid in Plan
Americredit Financial Services, Inc. dba GM Financial (Claim 1)	2016 Mazda CX-3	\$15,531.63	4.50%	\$17,373.36

E. Secured claims for which a § 506 valuation is applicable. Check one.

☒ None. If "None" is checked, the rest of § 2.E need not be completed or reproduced.

F. Surrender of Collateral. Check one.

☒ None. If "None" is checked, the rest of § 2.F need not be completed or reproduced.

G. Lien Avoidance. Do not use for mortgages or for statutory liens, such as tax liens. Check one.

☐ None. If "None" is checked, the rest of § 2.G need not be completed or reproduced.

☒ The Debtor moves to avoid the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to § 522(f) (this § should not be used for statutory or consensual liens such as mortgages).

Name of Lien Holder	Midland Credit Management, Inc.
Lien Description For judicial lien, include court and docket number	The judgment against Jeffery Cunningham in favor of Midland Credit Management, Inc. entered on April 27, 2021 at docket number MJ-09302-CV-0000034-2021 in magisterial district court MJ-09302 created an <i>inchoate</i> judicial lien against Debtors' marital real estate known as 58 Carlisle Road, Newville, PA 17241, Cumberland County
Description of the lien property	58 Carlisle Road Newville, PA 17241 Cumberland County
Liened Asset Value	\$221,700.00
Sum of Senior Liens	\$147,875.65
Exemption Claimed	\$80,546.00
Amount of Lien	\$1,918.56
Amount Avoided	\$1,918.56

3. PRIORITY CLAIMS.

A. Administrative Claims

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's fees. Complete only one of the following options:
 - a. In addition to the retainer of \$684.00 already paid by the Debtor, the amount of \$3,316.00 in the plan.

This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c);
or

- b. \$_____ per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).

3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above.
Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.

B. Priority Claims (including, certain Domestic Support Obligations)

Allowed unsecured claims, entitled to priority under § 1322(a) will be paid in full unless modified under § 9.

Name of Creditor	Estimated Total Payment
Pennsylvania Department of Revenue (Claim 4)	\$124.97

- C. **Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B).** *Check one of the following two lines.*

☒ None. If "None" is checked, the rest of § 3.C need not be completed or reproduced.

4. UNSECURED CLAIMS

- A. **Claims of Unsecured Nonpriority Creditors Specially Classified.**
Check one of the following two lines.

☒ None. If "None" is checked, the rest of § 4.A need not be completed or reproduced.

- B. **Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.**

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES. *Check one of the following two lines.*

☒ None. If "None" is checked, the rest of § 5 need not be completed or reproduced.

6. VESTING OF PROPERTY OF THE ESTATE.

Property of the estate will vest in the Debtor upon

Check the applicable line:

- ☒ plan confirmation.
☐ entry of discharge.
☐ closing of case.

7. DISCHARGE: (Check one)

- ☒ The debtor will seek a discharge pursuant to § 1328(a).
☐ The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

8. ORDER OF DISTRIBUTION:

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1: _____
 Level 2: _____
 Level 3: _____
 Level 4: _____
 Level 5: _____
 Level 6: _____
 Level 7: _____
 Level 8: _____

If the above Levels are filled in, the rest of § 8 need not be completed or reproduced. If the above Levels are not filled-in, then the order of distribution of plan payments will be determined by the Trustee using the following as a guide:

Level 1: Adequate protection payments.
 Level 2: Debtor's attorney's fees.
 Level 3: Domestic Support Obligations.
 Level 4: Priority claims, pro rata.
 Level 5: Secured claims, pro rata.
 Level 6: Specially classified unsecured claims.
 Level 7: Timely filed general unsecured claims.
 Level 8: Untimely filed general unsecured claims to which the Debtor has not objected.

9. NONSTANDARD PLAN PROVISIONS

Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)

Dated: September 9, 2021

/s/ Joseph Quinn

Joseph Quinn
 Attorney for Debtor

/s/ Jeffery C Cunningham

Jeffery C Cunningham
 Debtor

/s/ Donna Mae Cunningham

Donna Mae Cunningham
 Joint Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 9.